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September 21, 2017

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Complaints Examination &
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Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Response in MUR 7272

Dear Ms. Stevenson,

This Response is submitted by the undersigned counsel on behalf of Representative Edward R. Royce, the Royce Campaign Committee, and Kelly Lawler, in her capacity as Treasurer of Royce Campaign Committee, in response to the Complaint designated as Matter Under Review 7272.

The Complaint alleges that six individual lobbyists made contributions to the Royce Campaign Committee. According to the Complaint, "the circumstances under which the contributions were made demonstrate that the lobbyists were actually making the contributions as agents of their clients, the ECFMU and the Party of Regions." Complaint at ¶ 55. Furthermore, "[t]he lobbyists' pattern of activity was only consistent with their making the contributions on behalf of the ECFMU and the Party of Regions and other foreign nationals." *Id.* at ¶ 59. The Complaint alleges that "[a]fter the candidates met individually with the lobbyists, the ECFMU and the Party of Regions made political contributions to Rohrabacher, Royce and Risch through Manafort, Kutler, Weber, McSherry, Stach, Lankler, DMP International, LLC (or Davis, Manafort and Freedman), Mercury, and other agents and employees." *Id.* at ¶ 48. The Complainant concludes that the Respondents "knowingly and wilfully [sic] violated 52 U.S.C. § 30121 and the regulations promulgated thereunder" "[b]y receiving and accepting contributions that were made indirectly by foreign nationals, and by retaining the contributions long after it was apparent that they were made illegally by unregistered foreign agents on behalf of foreign nationals." *Id.* at ¶ 81. The Complainant also accuses the Respondents of knowingly accepting contributions made in the name of another. *Id.* at ¶ 89.

Setting aside the Complainants' conspiracy theories and references to various matters over which the Commission has no jurisdiction, what remains is list of publicly reported

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contributions made to the Royce Campaign Committee, totaling \$5,750, coupled with the Complainants' insistence that "the circumstances" prove that these contributions were unlawful. The Complainants present absolutely no evidence – aside from their own conclusory allegations – that the Respondents accepted or received any contribution from a foreign national, or any contribution made in the name of another. Instead, the Complainants claim to know what Congressman Royce "knew" (Complaint at ¶¶ 48, 67), allege that "the *circumstances* under which the contributions were made demonstrate that the lobbyists were actually making the contributions as agents of their clients" (Complaint at ¶ 55) (emphasis added), and contend that "the *context and timing* of the payments alerted the officials/candidates that the contributions were being made on behalf of ... foreign nationals who had retained the lobbyists" (Complaint at ¶ 63) (emphasis added). The conclusions that the Complainant draws from the alleged "circumstances," "context," and "timing" are purely speculative, and the facts sets forth in the Complaint do not suggest any violation of the Act.

To the best of Respondents' knowledge, each contributor identified in the Complaint at Paragraph 51 is eligible to contribute personal funds to a federal campaign committee. Respondents have confirmed through a review of records that the individuals identified in the Complaint at Paragraph 51 contributed either via credit card or personal check. The respondents have no reason to suspect that the listed contributions were made from any funds other than personal funds. Each contribution listed in the Complaint at Paragraph 51 is within the applicable contribution limit. Contributions made by individuals who are registered under the Lobbying Disclosure Act or the Foreign Agents Registration Act are permissible under the Act, and there is no presumption under the Act, Commission regulation, or past enforcement matters that a contribution from a registered lobbyist or FARA registrant is a conduit contribution. In short, absolutely nothing about the identified contributions in any way suggests any illegality.

The Complaint presents no evidence – only a series of conclusory allegations and conspiracy theories – that any person or entity provided funds for another person to contribute, that any person was reimbursed for contributions made, or that any person served as an "intermediar[y] in transferring funds to ... campaigns from foreign nationals." Complaint at ¶ 67. The Complaint's obviously fabricated claims of knowledge of what Congressman Royce "knew," coupled with speculation about "circumstances," and "context and timing" are not a substitute for actual evidence. *See generally* MUR 7091 (Murphy), Factual and Legal Analysis at 4 ("The Complaint asserts that eleven individuals and two federal candidates and their committees participated with Ibrahim Al-Rashid in a 'straw donor' scheme based on the relationship between Ibrahim Al-Rashid, Murphy, and the contributors as well as the timing of the subject contributions, but it does not provide any information that the subject contributions were not made with the personal funds of the named contributors."). The Respondents have complied with all applicable laws, and there is no actual evidence to support any of the Complainants' outlandish claims.

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